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Security Council

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Australia, France, Luxembourg, Morocco, Republic of Korea, Rwanda, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its resolutions 2056 (2012), 2071 (2012) and 2085 (2012), its Presidential Statements of 26 March 2012 (S/PRST/2012/7) and 4 April 2012 (S/PRST/2012/9) as well as its Press Statements of 22 March 2012, 9 April 2012, 18 June 2012, 10 August 2012, 21 September 2012, 11 December 2012 and 10 January 2013 on Mali,

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Mali,

Reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned,

Condemning strongly the offensive launched on 10 January 2013 by terrorist, extremist and armed groups towards the south of Mali and *stressing* that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and regional and international organizations to impede, impair, and isolate the terrorist threat, and *reaffirming* that terrorism could not and should not be associated with any religion, nationality or civilization,

Welcoming the swift action by the French forces, at the request of the transitional authorities of Mali, to stop the offensive of terrorist, extremist and armed groups towards the south of Mali and *commending* the efforts to restore the territorial integrity of Mali by the Malian Defence and Security Forces, with the support of French forces and the troops of the African-led International Support Mission in Mali (AFISMA),

Stressing the need to work expeditiously towards the restoration of democratic governance and constitutional order, including through the holding of free, fair, transparent and inclusive presidential and legislative elections and *emphasizing* the importance for the transitional authorities of Mali to move swiftly in a process of inclusive dialogue and active engagement with Malian political groups, including those who have previously advocated independence, are prepared to cease

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hostilities, have cut off all ties with terrorist organizations and who recognize, without conditions, the unity and territorial integrity of the Malian State,

Remaining seriously concerned over the significant ongoing food and humanitarian crisis in the Sahel region and over the insecurity which hinders humanitarian access, exacerbated by the presence of armed groups, terrorist and criminal networks, and their activities, the presence of landmines as well as the continued proliferation of weapons from within and outside the region that threatens the peace, security, and stability of States in this region,

Emphasizing the need for all parties to uphold and respect the humanitarian principles of humanity, neutrality, impartiality and independence in order to ensure the continued provision of humanitarian assistance, the safety of civilians receiving assistance and the security of humanitarian personnel operating in Mali and *stressing* the importance of humanitarian assistance being delivered on the basis of need,

Condemning strongly all abuses and violations of human rights and violations of international humanitarian law, including those involving extrajudicial executions, arbitrary arrests and detentions, and sexual and gender-based violence, forced amputations, as well as killing, maiming, recruitment and use of children, attacks against schools and hospitals, forced displacements, and destruction of cultural and historical heritage, committed in Mali by any group or individuals, *noting*, especially, widespread abuses of human rights by terrorist, extremist and armed groups in the north of Mali, *condemning strongly* the reports of retaliatory attacks, including those based on ethnicity and those allegedly perpetrated by members of the Malian Defence and Security Forces against civilians, and *calling upon* all parties to bring an end to such violations and abuses and to comply with their obligations under applicable international law,

Reiterating, in this regard, that all perpetrators of such acts must be held accountable and that some of such acts referred to in the paragraph above may amount to crimes under the Rome Statute and taking *note* that the transitional authorities of Mali referred the situation in Mali since January 2012 to the International Criminal Court on 13 July 2012 and that the Prosecutor of the International Criminal Court opened, on 16 January 2013, an investigation into alleged crimes committed on the territory of Mali since January 2012,

Taking note of the listing of Ansar Eddine and its leader Iyad Ag Ghali, *recalling* the listing of Movement for Unity and Jihad in West Africa (MUJAO) and the Organization of Al-Qaida in the Islamic Maghreb (AQIM), on the Al-Qaida sanctions list established by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and *reiterating its readiness*, under the above-mentioned regime, to sanction further individuals, groups, undertakings and entities who do not cut off all ties to Al-Qaida and associated groups, including AQIM, MUJAO and Ansar Eddine, in accordance with the established listing criteria,

Expressing its continued concern over the serious threats posed by transnational organized crime in the Sahel region, and its increasing links, in some cases, with terrorism, and *strongly condemning* the incidents of kidnapping and hostage-taking with the aim of raising funds or gaining political concessions, *noting* the increase in such kidnappings in the Sahel region, and *underscoring* the urgent need to address these issues,

Expressing its determination to combat kidnapping and hostage-taking in the Sahel region, in accordance with applicable international law and, in this regard, *noting* the publication of the Global Counterterrorism Forum's (GCTF) "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists",

Commending the African Union (AU), the Economic Community of West African States (ECOWAS) and the European Union (EU), as well as the Secretary-General, for their intensive efforts to solve the crisis in Mali, *welcoming* the establishment by the AU, ECOWAS, the EU and the United Nations of a Joint Task Force for Mali in Addis Ababa, *encouraging* them to maintain coordination in support of the stabilization of the situation in Mali, including the national political dialogue and electoral process, *noting* that the requirement to report as requested in paragraph 10 of resolution 2085 (2012) was not fulfilled and *looking forward* to the submission of those reports,

Commending the efforts of African countries to contribute forces to AFISMA, as authorized by resolution 2085 (2012), *welcoming* the deployment of AFISMA in Mali and also *commending* Member States and regional and international organizations that support this deployment in Mali,

Commending the contributions pledged at the Donors conference organized by the AU in Addis Ababa on 29 January 2013 in support of AFISMA and the Malian Defence and Security Forces, *welcoming* actual contributions already made and the AU pledge to contribute through the AU's assessed contributions, *urging* all donors to translate their pledges into actual contributions and *calling upon* other Member States and regional and international organizations to also contribute generously,

Encouraging international coordination to consolidate political and security progress in Mali, and in this regard, regular meetings of the Support and Follow-Up Group on the Situation in Mali, established by the AU Peace and Security Council on 20 March 2012, and co-chaired by the AU, ECOWAS, EU and the United Nations and attended by other international partners, and *welcoming* the conclusions of the 5 February 2013 and 19 April 2013 meetings of the Follow-Up Group,

Taking note of the letter, dated 25 March 2013, addressed to the Secretary-General by the transitional authorities of Mali, which requests the deployment of a United Nations operation to stabilize and restore the authority and the sovereignty of the Malian State throughout its national territory,

Taking note of the letter, dated 26 March 2013, addressed to the Secretary-General by the President of the ECOWAS Commission requesting the transformation of AFISMA into a United Nations stabilization mission and *taking note* of the communiqué, dated 7 March 2013, of the AU Peace and Security Council, as well as the attached letter dated 7 March 2013 and addressed to the Secretary-General by the AU Commissioner for Peace and Security, expressing AU support for the transformation of AFISMA into a United Nations stabilization operation in Mali,

Taking note of the report of the Secretary-General (S/2013/189), dated 26 March 2013, on the situation in Mali, including recommendations and options for establishing a United Nations stabilization operation in Mali,

Emphasizing that the transitional authorities of Mali have primary responsibility for resolving the interlinked challenges facing their country and protecting all their citizens and that any sustainable solution to the crisis in Mali should be Malian-owned, including a political process, *also emphasizing* that the cooperation among the countries of the region will be crucial for lasting peace and stability in Mali,

Encouraging the international community to provide broad support to resolve the crisis in Mali through coordinated actions for immediate and long-term needs, encompassing security, governance, development and humanitarian issues, *looking forward* to the high-level international donors' conference in Brussels on 15 May 2013 to support the development of Mali, *commending* the contributions already made towards the 2013 Consolidated Appeal for Mali and *urging* all Member States and other donors to contribute generously for humanitarian operations,

Determining that the situation in Mali constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Commends* the initial measures taken so far to restore constitutional order and national unity in Mali, including the adoption by the Malian National Assembly, on 29 January 2013, of a transitional road map, *welcomes* the establishment of the Dialogue and Reconciliation Commission on 6 March 2013 and the appointment of its Commissioners and *calls on* the Commission to commence its work as soon as possible, and *further calls on* the transitional authorities of Mali to continue urgently to take discernible steps towards consolidating stability, enhancing a culture of democratic governance, and facilitating inclusive political dialogue to bring about a process of national reconciliation and to foster social cohesion, which should lead to political progress in this regard as early as possible;

2. *Requests* the Secretary-General, in close coordination with the AU and ECOWAS, to support all dimensions of the transitional road map, with a view to its swift implementation, including the work of the Dialogue and Reconciliation Commission;

3. *Urges* the transitional authorities of Mali to hold free, fair, transparent and inclusive presidential and legislative elections as soon as technically possible, *welcomes* the stated commitment of the transitional authorities of Mali to organize presidential elections on 7 July 2013 and legislative elections on 21 July 2013, *stresses* the importance of ensuring an environment conducive to the holding of elections, in particular a secure environment prior to, during and following the electoral period, equitable access to State-controlled media and provision for all eligible persons, including internally displaced persons and refugees, to participate in the electoral process and *calls upon* Member States, regional and international organizations, as requested by the transitional authorities of Mali, to provide support to the electoral process, including through financial resources, electoral observation capacity and related technical assistance;

4. *Demands* that all rebel armed groups in Mali put aside their arms and cease hostilities immediately and *urges* all such parties in Mali who have cut off all ties with terrorist organizations such as AQIM, MUJAO, Ansar Eddine and associated terrorist groups and who recognize, without conditions, the unity and territorial integrity of the Malian State, and the transitional authorities of Mali to

engage expeditiously in an inclusive negotiation process, facilitated by the Secretary-General, in particular through his Special Representative for Mali when appointed as referred to in paragraph 11 below, in close collaboration with the AU, ECOWAS and the EU Special Representative for the Sahel;

5. *Calls upon* the international community, through the Support and Follow-Up Group on the Situation in Mali, to meet regularly in Mali and, as may be required, outside Mali, to assist the transitional authorities of Mali to implement the transitional road map and monitor the progress made in this regard and to continue contributing to the promotion of lasting peace, stability, and reconciliation in Mali, *requests* the Secretary-General to facilitate the convening of the Support and Follow-Up Group on the Situation in Mali and *stresses* the importance of continued coordination between the United Nations, the AU and ECOWAS in the promotion of lasting peace, security, stability and reconciliation in Mali;

6. *Demands* that no member of the Malian Defence and Security Forces shall undermine and obstruct the implementation of the transitional road map or the efforts of the international community to foster political and security progress in Mali, *stresses* the importance of Malian civilian control and oversight of the Malian Defence and Security Forces and *expresses its readiness* to consider appropriate measures, as necessary, against those who take action that undermines the peace, stability, and security, including those who prevent the implementation of constitutional order;

7. *Decides* to establish the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), *requests* the Secretary-General to subsume the United Nations Office in Mali (UNOM) into MINUSMA, with MINUSMA assuming responsibility for the discharge of UNOM's mandated tasks, as of the date of adoption of this resolution, *further decides* that the authority be transferred from AFISMA to MINUSMA on 1 July 2013 at which point MINUSMA shall commence the implementation of its mandate as defined in paragraphs 16 and 17 below, for an initial period of 12 months and *requests* the Secretary-General to include in MINUSMA, in close coordination with the AU and ECOWAS, AFISMA military and police personnel appropriate to United Nations standards;

8. *Decides* that the date referred to in paragraph 7 above and MINUSMA's phased deployment shall be subject to a further review by the Council within 60 days of the adoption of this resolution of the security situation in MINUSMA's area of responsibility, specifically with respect to the cessation of major combat operations by international military forces in the immediate vicinity of and/or within MINUSMA's envisaged area of responsibility and a significant reduction in the capacity of terrorist forces to pose a major threat to the civilian population and international personnel in the immediate vicinity of and/or within MINUSMA's envisaged area of responsibility, *further decides*, should the Council consider that these criteria are not met before 1 July 2013, it shall concurrently adjust the timeline for MINUSMA's deployment against these criteria;

9. *Calls for* tangible achievements in the political process in Mali, which are of critical significance for the successful deployment and activities of MINUSMA;

10. *Reiterates that* Member States and regional and international organizations are urged to continue to provide coordinated support to AFISMA

pursuant to its resolution 2085 (2012), until the transfer of authority from AFISMA to MINUSMA, including military training, provision of equipment, intelligence and logistical support, *requests* the Secretary-General to accelerate the disbursement of the United Nations Trust Fund established pursuant to its resolution 2085 (2012) to support AFISMA, and *decides* that equipment donated or granted to AFISMA, or where the ownership remains with the donor, shall not be considered contingent-owned equipment;

11. *Requests* the Secretary-General to appoint expeditiously a Special Representative for Mali and Head of Mission of MINUSMA, who shall, from the date of appointment, assume overall authority on the ground for the coordination of all the activities of the United Nations, and its agencies, funds and programmes, in Mali and shall use good offices and coordinate efforts of the international community in order to support the priority elements as defined in paragraphs 1, 2, 3 and 4 above and who shall, from the transfer of authority from AFISMA to MINUSMA, lead all tasks of the mandate of MINUSMA as defined in paragraph 16 below, and coordinate the overall support of the international community in Mali, including in the field of Disarmament, Demobilization and Reintegration (DDR) and Security Sector Reform (SSR), *further emphasizes* that the Special Representative shall ensure optimal coordination between MINUSMA and the United Nations Country Team in Mali, in connection with the aspects of their respective mandates;

12. *Decides* that MINUSMA will comprise up to 11,200 military personnel, including reserve battalions capable of deploying rapidly within the country as and when required, and 1,440 police personnel, *calls upon* Member States to provide troops and police with adequate capabilities and equipment in order to enhance the capacity of MINUSMA to operate, and discharge its responsibilities, effectively and *requests* the Secretary-General to recruit qualified staff, who have the professional experience and skills appropriate to the tasks defined under applicable competency areas in paragraphs 16 and 17 below;

13. *Welcomes* the commitment of the Secretary-General, as outlined in paragraph 81 of his report (S/2013/189), to take all possible steps, including through the full use of existing authorities and at his discretion, to accelerate the deployment of civilian and military capabilities in Mali, in order to best respond to the Council's expectations and the needs of the Malian people and *requests* the Secretary-General to take the necessary steps, in accordance with paragraphs 7 and 12 above, to have MINUSMA ready to commence its activities;

14. *Authorizes* the Secretary-General to take the necessary steps in order to ensure inter-mission cooperation, notably between MINUSMA and UNMIL and UNOCI, appropriate transfers of troops and their assets from other United Nations missions to MINUSMA, subject to the following conditions: (i) the Council's information and approval, including on the scope and duration of the transfer, (ii) the agreement of the troop-contributing countries and (iii) the security situation where these United Nations missions are deployed and without prejudice to the performance of their mandates;

15. *Requests* the Secretary-General to ensure that the other United Nations missions in the region, notably UNMIL and UNOCI, share logistic and administrative support with MINUSMA, to the extent possible, without prejudicing their operational capacities with respect to their mandates, in order to maximize the

effectiveness and efficiency of the missions in the West African region, and to report thereon for consideration as appropriate;

16. *Decides that* the mandate of MINUSMA shall be the following:

(a) *Stabilization of key population centres and support for the reestablishment of State authority throughout the country*

(i) In support of the transitional authorities of Mali, to stabilize the key population centres, especially in the north of Mali and, in this context, to deter threats and take active steps to prevent the return of armed elements to those areas;

(ii) To support the transitional authorities of Mali to extend and re-establish State administration throughout the country;

(iii) To support national and international efforts towards rebuilding the Malian security sector, especially the police and gendarmerie through technical assistance, capacity-building, co-location and mentoring programmes, as well as the rule of law and justice sectors, within its capacities and in close coordination with other bilateral partners, donors and international organizations engaged in these fields, including the EU;

(iv) To assist the transitional authorities of Mali, through training and other support, in mine action and weapons and ammunition management;

(v) To assist the transitional authorities of Mali in developing and implementing programmes for the disarmament, demobilization and reintegration (DDR) of former combatants and the dismantling of militias and self-defence groups, consistent with the objectives of reconciliation and taking into account the specific needs of demobilized children;

(b) *Support for the implementation of the transitional road map, including the national political dialogue and the electoral process*

(i) To assist the transitional authorities of Mali to implement swiftly the transitional road map towards the full restoration of constitutional order, democratic governance and national unity in Mali;

(ii) To exercise good offices, confidence-building and facilitation at the national and local levels, including through local partners as appropriate, in order to anticipate, prevent, mitigate and resolve conflict;

(iii) To assist the transitional authorities of Mali and communities in the north of Mali to facilitate progress towards an inclusive national dialogue and reconciliation process, notably the negotiation process referred to in paragraph 4 above, including by enhancing negotiation capacity and promoting the participation of civil society, including women's organizations;

(iv) To support the organization and conduct of inclusive, free, fair and transparent presidential and legislative elections, including through the provision of appropriate logistical and technical assistance and effective security arrangements;

(c) *Protection of civilians and United Nations personnel*

(i) To protect, without prejudice to the responsibility of the transitional authorities of Mali, civilians under imminent threat of physical violence, within its capacities and areas of deployment;

(ii) To provide specific protection for women and children affected by armed conflict, including through the deployment of Child Protection Advisors and Women Protection Advisors, and address the needs of victims of sexual and gender-based violence in armed conflict;

(iii) To protect the United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations and associated personnel;

(d) *Promotion and protection of human rights*

(i) To monitor, help investigate and report to the Council on any abuses or violations of human rights or violations of international humanitarian law committed throughout Mali and to contribute to efforts to prevent such violations and abuses;

(ii) To support, in particular, the full deployment of MINUSMA human rights observers throughout the country;

(iii) To monitor, help investigate and report to the Council specifically on violations and abuses committed against children as well as violations committed against women including all forms of sexual violence in armed conflict;

(iv) To assist the transitional authorities of Mali in their efforts to promote and protect human rights;

(e) *Support for humanitarian assistance*

In support of the transitional authorities of Mali, to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance, in accordance with humanitarian principles, and the voluntary return of internally displaced persons and refugees in close coordination with humanitarian actors;

(f) *Support for cultural preservation*

To assist the transitional authorities of Mali, as necessary and feasible, in protecting from attack the cultural and historical sites in Mali, in collaboration with UNESCO;

(g) *Support for national and international justice*

To support, as feasible and appropriate, the efforts of the transitional authorities of Mali, without prejudice to their responsibilities, to bring to justice those responsible for war crimes and crimes against humanity in Mali, taking into account the referral by the transitional authorities of Mali of the situation in their country since January 2012 to the International Criminal Court;

17. *Authorizes* MINUSMA to use all necessary means, within the limits of its capacities and areas of deployment, to carry out its mandate as set out in paragraphs 16 (a) (i) and (ii), 16 (c) (i) and (iii), 16 (e), 16 (f) and 16 (g) and *requests*

MINUSMA's civilian and military components to coordinate their work with the aim of supporting the tasks outlined in paragraph 16 above;

18. *Authorizes* French troops, within the limits of their capacities and areas of deployment, to use all necessary means, from the commencement of the activities of MINUSMA until the end of MINUSMA's mandate as authorized in this resolution, to intervene in support of elements of MINUSMA when under imminent and serious threat upon request of the Secretary-General, *further requests* France to report to the Council on the implementation of this mandate in Mali and to coordinate its reporting with the reporting by the Secretary-General referred to in paragraph 34 below and *decides* to review this mandate within six months after its commencement;

19. *Urges* all parties in Mali to cooperate fully with the deployment and activities of MINUSMA, in particular by ensuring their safety, security and freedom of movement with unhindered and immediate access throughout the territory of Mali to enable MINUSMA to carry out fully its mandate;

20. *Calls upon* Member States, especially those in the region, to ensure the free, unhindered and expeditious movement to and from Mali of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of MINUSMA;

21. *Reiterates* that the training, consolidation and redeployment of the Malian Defence and Security Forces is vital to ensure Mali's long-term security and stability and to protect the people of Mali and *stresses* the importance of the Malian Defence and Security Forces assuming full responsibility for providing security throughout the Malian territory;

22. *Welcomes* the deployment of the European Union Training Mission (EUTM) in Mali which is providing training and advice for the Malian Defence and Security Forces towards contributing to strengthening civilian authority and respect for human rights and *calls upon* the EU, notably its Special Representative for the Sahel, to coordinate closely with MINUSMA, and other bilateral partners of Mali engaged to assist the transitional authorities of Mali in the Security Sector Reform (SSR);

23. *Urges* Member States, regional and international organizations to provide coordinated assistance, expertise and training, including on human rights and international humanitarian law, especially concerning the protection of women and children, and capacity-building support to the Malian Defence and Security Forces, including through the United Nations Trust Fund established pursuant to its resolution 2085 (2012) for Peace and Security in Mali, and in close coordination with existing initiatives, in particular EUTM to help restore the authority of the State of Mali over its entire national territory, to uphold the unity and territorial integrity of Mali and to reduce the threat posed by terrorist organizations and associated groups;

24. *Reiterates* that the transitional authorities of Mali have primary responsibility to protect civilians in Mali, *further recalls* its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on Children And Armed Conflict and its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), and 1960 (2010) on Women, Peace and

Security and *calls upon* MINUSMA and all military forces in Mali to take them into account and to abide by international humanitarian, human rights and refugee law, and recalls the importance of training in this regard;

25. *Requests* MINUSMA to take fully into account gender considerations as a cross cutting issue throughout its mandate and to assist the transitional authorities of Mali in ensuring the participation, involvement and representation of women at all levels and at an early stage of the stabilization phase, including the security sector reform and disarmament, demobilization and reintegration processes, as well as in the national political dialogue and electoral processes;

26. *Requests* that MINUSMA take fully into account the need to protect civilians and mitigate risk to civilians, including, in particular, women, children and displaced persons and civilian objects in the performance of its mandate as defined in paragraphs 16 and 17 above, where undertaken jointly with the Malian Defence and Security Forces, in strict compliance with the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces (S/2013/110);

27. *Urges* the transitional authorities of Mali to ensure that all perpetrators of serious violations and abuses of human rights and serious violations of international humanitarian law are held accountable and to continue to cooperate with the International Criminal Court, in accordance with Mali's obligations under the Rome Statute;

28. *Calls upon* the transitional authorities of Mali, with the assistance of MINUSMA, consistent with paragraph 16 above, and international partners, to address the issue of the proliferation and illicit trafficking of small arms and light weapons in accordance with the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials and the United Nations Programme of Action on Small Arms and Light Weapons, in order to ensure the safe and effective management, storage and security of their stockpiles of small arms and light weapons and the collection and/or destruction of surplus, seized, unmarked or illicitly held weapons and *further stresses* the importance of the full implementation of its resolution 2017 (2011);

29. *Urges* Sahel and Maghreb States to enhance interregional cooperation and coordination in order to develop inclusive and effective strategies to combat in a comprehensive and integrated manner the activities of terrorist groups, namely AQIM, MUJAO, and Ansar Eddine, and prevent the expansion of those groups as well as to limit the proliferation of all arms and transnational organized crime and, in this regard, *takes note of* the outcome of the Conference organized by CTED and CTITF in Rabat on the Cooperation on Border Control in the Sahel and the Maghreb;

30. *Requests* the Secretary-General to ensure full compliance of MINUSMA with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council fully informed if such cases of misconduct occur;

31. *Requests* MINUSMA, within its capabilities, its areas of deployment and without prejudice to its mandate, to assist the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team established by resolution 1526 (2004), including by passing information

relevant to the implementation of the measures in paragraph 1 of resolution 2083 (2012);

32. *Requests* the Secretary-General to consider the environmental impacts of the operations of MINUSMA when fulfilling its mandated tasks and, in this context, *encourages* MINUSMA to manage them, as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations, and to operate mindfully in the vicinity of cultural and historical sites;

33. *Requests* the Secretary-General and the transitional authorities of Mali to conclude, within 30 days of the adoption this resolution, a status-of-forces agreement with regards to MINUSMA, taking into consideration General Assembly resolution 58/82 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel and *decides* that pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990 (A/45/594), shall apply provisionally;

34. *Requests* the Secretary-General to keep the Council regularly informed of the situation in Mali and the implementation of the mandate of MINUSMA, to report to the Council within 45 days of the adoption of this resolution, specifically with regards to paragraph 8 and 9 above, and then every three months from 1 July 2013 and to include in his reports to the Council updates on the security situation, the priority political elements as defined in paragraphs 1, 2, 3 and 4 above on the implementation of the transitional road map, relevant information on the progress, promotion and protection of human rights and international humanitarian law as well as a review of the troop level, force generation and deployment of all MINUSMA's constituent elements;

35. *Decides* to remain actively seized of the matter.

United Nations S/2013/243

Security Council

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France, Russian Federation, Spain and United States of America: draft resolution

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), and 2044 (2012),

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and the neighbouring states to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Recognizing that achieving a political solution to this long-standing dispute and enhanced cooperation between the Member States of the Maghreb Arab Union would contribute to stability and security in the Sahel region,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including MINURSO, under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, and effective management of resources,

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals,

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Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and *welcoming* the commitment of the parties to continue the negotiations process,

Encouraging the parties to continue cooperating with the Office of the High Commissioner for Refugees in implementing the January 2012 updated Plan of Action on Confidence Building Measures,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and encouraging the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Encouraging the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps,

Recognizing and *welcoming*, in this regard, the steps taken by Morocco to strengthen the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco's ongoing interaction with Special Procedures of the United Nations Human Rights Council, including those planned for 2013,

Also welcoming the implementation of the enhanced refugee protection programme developed by the Office of the United Nations High Commissioner for Refugees in coordination with the Polisario Front, which includes refugee and human rights training and awareness initiatives,

Reiterating its request for consideration of a refugee registration in the Tindouf refugee camps and *encouraging* efforts in this regard,

Welcoming the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming support for the Secretary-General's Personal Envoy for Western Sahara Ambassador Christopher Ross and his work in facilitating negotiations between the parties, and, *welcoming* to that effect his recent initiatives and ongoing consultations with the parties and neighbouring states,

Affirming support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Wolfgang Weisbrod-Weber,

Having considered the report of the Secretary-General of 8 April 2013 (S/2013/220),

1. *Decides* to extend the mandate of MINURSO until 30 April 2014;

2. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara (MINURSO) with regard to the ceasefire and *calls* on the parties to adhere fully to those agreements;

3. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and

immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

4. *Welcomes* the parties' commitment to continue the process of preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;

5. *Calls* upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), and 2044 (2012), and the success of negotiations;

6. *Affirms* its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context and calls for renewed meetings and strengthening of contacts;

7. *Calls* upon the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

8. *Invites* Member States to lend appropriate assistance to these talks;

9. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, and *expresses* its intention to meet to receive and discuss his briefings and in this regard, further *requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

10. *Welcomes* the commitment of the parties and the neighbouring states to hold periodic meetings with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures, and in this regard, supports the Secretary-General's request for additional six United Nations police officers to implement the expanded family visit programme;

11. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for visits between separated family members, as well as for other confidence-building measures agreed upon between parties;

12. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

13. *Decides* to remain seized of the matter.

United Nations S/2013/244

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The Security Council,

Recalling its previous resolutions and the statements of its President relating to the situation in Côte d'Ivoire, in particular resolutions 1880 (2009), 1893 (2009), 1911 (2010), 1933 (2010), 1946 (2010), 1962 (2010), 1975 (2011), 1980 (2011), 2000 (2011), 2045 (2012), 2062 (2012),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Welcoming the special report of the Secretary-General dated 29 March 2012 (S/2012/186), of the 2012 midterm report (S/2012/766), and the Final 2013 report (S/2013/228), of the United Nations Group of Experts,

Recognizing the continued contribution to the stability in Côte d'Ivoire of the measures imposed by resolutions 1572 (2004), 1643 (2005), 1975 (2011) and 1980 (2011), and *stressing* that these measures aim at supporting the peace process in Côte d'Ivoire with a view to possibly further modifying or lifting all or part of the remaining measures, in accordance with progress achieved in relation to DDR and SSR, national reconciliation and the fight against impunity,

Welcoming the steady progress and achievements Côte d'Ivoire has made in the past months in returning to stabilization, addressing immediate security challenges, advancing economic recovery and strengthening international and regional cooperation, notably enhanced cooperation with the governments of Ghana and Liberia,

Welcoming the completion of the electoral cycle that originated in the Ouagadougou Accords, including the recent legislative elections in six districts and nation-wide municipal elections, and *encouraging* the government and the opposition to move positively and collaboratively towards political reconciliation and electoral reform to ensure that the political space remains open and transparent,

Expressing concern at the slow progress in the reconciliation process, *while acknowledging* the efforts by all the Ivorians to promote national reconciliation and to consolidate peace through dialogue and consultation, *encouraging* the Dialogue, Truth and Reconciliation Commission to complete its work and produce concrete results by 30 September 2013 when its mandate expires,

Remaining concerned about the unresolved challenge of security sector reform (SSR) and disarmament, demobilization and reintegration (DDR), as well as the circulation of weapons, which continue to be significant risks to the stability of the country, and *welcoming* positive steps in this direction, notably the endorsement of the national security sector reform strategy by the National Security Council and the establishment of a single authority for DDR,

Reiterating the urgent need for the Government of Côte d'Ivoire to train and equip its security forces, especially the police and gendarmerie with standard policing weapons and ammunition,

Re-emphasizing the importance of the Ivorian Government to be able to respond proportionately to threats to the security of all citizens in Côte d'Ivoire and *calling on* the Government of Côte d'Ivoire to ensure that its security forces remain committed to upholding human rights and applicable international law,

Welcoming the continued cooperation of the Government of Côte d'Ivoire with the Group of Experts, originally established pursuant to paragraph 7 of resolution 1584 (2004), during the course of its last mandate renewed by resolution 2045 (2012) and *encouraging* closer cooperation,

Welcoming the efforts made by the Secretariat to expand and improve the roster of experts for the Security Council Subsidiary Organs Branch, bearing in mind the guidance provided by the Note of the President S/2006/997,

Expressing concern at the findings of the Group of Experts on the extension of an illegal taxation system, the increase in the number of checkpoints and incidents of racketeering and the lack of capacity and resources available for the control of borders,

Further expressing concern at the large-scale contraband of natural resources, in particular cocoa, cashew nuts, cotton, timber, gold and diamonds which are illegally exported from or imported into Côte d'Ivoire,

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women, peace and security, its resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict and its resolutions 1674 (2006), 1894 (2009) on the protection of civilians in armed conflicts,

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, *condemning* all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, and *stressing* that the perpetrators must be brought to justice, whether in domestic or international courts, and *encouraging* the Government of Côte d'Ivoire to continue its close cooperation with the International Criminal Court,

Stressing the importance for the Group of Experts to be provided with the sufficient resources for the implementation of its mandate,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, for a period ending on 30 April 2014, that all States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, whether or not originating in their territories;

2. *Recalls* that the measures on arms and related materiel, previously imposed by paragraphs 7 and 8 of resolution 1572 (2004), have been replaced by paragraphs 2, 3 and 4 of resolution 2045 (2012) and no longer apply to the provision of training, advice and expertise related to security and military activities, as well as to the supplies of civilian vehicles to the Ivorian security forces;

3. *Decides* that the measures imposed by paragraph 1 above shall not apply to:

(a) Supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire (UNOCI) and the French forces who support them;

(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

(c) Supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(d) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

(e) Supplies of non-lethal law enforcement equipment intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

(f) Supplies of arms and other related lethal equipment to the Ivorian security forces, intended solely for support of or use in the Ivorian process of SSR, as approved in advance by the Committee established by paragraph 14 of resolution 1572 (2004);

4. *Decides*, for the period referred to in paragraph 1 above, that the Ivorian authorities shall notify to the Committee any shipment of items referred to in paragraph 3 (e) or shall request an approval in advance to the Committee for any shipments of items referred to in paragraph 3 (f) above, *further decides* that the Member State delivering assistance may, in the alternative, make this notification pursuant to paragraph 3 (e) after informing the Government of Côte d'Ivoire that it intends to do so, and *stresses* the importance that such notifications and authorisation requests contain all relevant information, including the purpose of the use and end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, mode of transportation and itinerary of shipments;

5. *Urges* the Government of Côte d'Ivoire to allow the Group of Experts and UNOCI access to the exempted materiel at the time of import and before the transfer to the end user takes place, *stresses* that the Government of Côte d'Ivoire shall mark the arms and related materiel when received in the territory of Côte d'Ivoire and maintain a registry of them and *expresses its willingness* to consider an extension of the notification procedure to all embargo exemptions in accordance with progress achieved in relation to DDR and SSR;

6. *Decides* to renew until 30 April 2014 the financial and travel measures imposed by paragraphs 9 to 12 of resolution 1572 (2004) and paragraph 12 of resolution 1975 (2011) and *further decides* to renew until 30 April 2014 the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005), with a readiness to review measures in light of progress made towards Kimberley Process implementation;

7. *Decides* to further review the measures decided in paragraphs 1, 3 and 4 above in light of the progress achieved in the stabilization throughout the country, by the end of the period mentioned in paragraph 1, with a view to possibly further modifying or lifting all or part of the remaining measures, in accordance with progress achieved in relation to DDR and SSR, national reconciliation and the fight against impunity;

8. *Calls upon* the Government of Côte d'Ivoire to take the necessary steps to enforce the measures imposed by paragraph 1 above, including by incorporating relevant provisions in its national legal framework;

9. *Calls upon* all Member States, in particular those in the subregion, to fully implement the measures mentioned in paragraphs 1 and 6 above;

10. *Expresses* its deep concern about the instability in western Côte d'Ivoire, *welcomes* and *further encourages* the coordinated action by authorities from neighbouring countries to address this issue, particularly with respect to the border area, including through increasing monitoring, information sharing and conducting coordinated actions, and in developing and implementing a shared border strategy to inter al support the disarmament and repatriation of foreign armed elements on both sides of the border and the repatriation of refugees;

11. *Encourages* UNOCI and the United Nations Mission in Liberia (UNMIL), within their respective mandates, capabilities and areas of deployment, to continue to coordinate closely in assisting respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border, and *welcomes* further cooperation between the Group of Experts and the Panel of Experts on Liberia appointed pursuant to paragraph 4 of resolution 1854 (2008);

12. *Urges* all illegal Ivorian armed combatants, including in neighbouring countries, to lay down their arms immediately, *encourages* UNOCI, within its mandate and limits of capabilities and areas of deployment, to continue to assist the Government of Côte d'Ivoire in collecting and storing the arms and registering all relevant information related to those arms and further *calls upon* the Government of Côte d'Ivoire, including the National Commission to fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, to ensure that those arms are neutralized or not illegally disseminated, in accordance with the ECOWAS

Convention on Small Arms and Light Weapons, Their Ammunition and Other Associated Materials;

13. *Welcomes* the decision by the Government of Côte d'Ivoire to ratify the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Associated Materials and *encourages* relevant actors to provide technical assistance to the Government of Côte d'Ivoire towards its implementation;

14. *Recalls* that UNOCI, within the monitoring of the arms embargo, is mandated to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004) as amended by paragraphs 1 and 2 of resolution 2045 (2012), and to dispose of such arms and related materiel as appropriate;

15. *Reiterates* the necessity for the Ivorian authorities to provide unhindered access to the Group of Experts, as well as UNOCI and the French forces which support it, to equipment, sites and installations referred to in paragraph 2 (a) of resolution 1584 (2005), and to all weapons, ammunition and related materiel of all armed security forces, regardless of location, including the arms issued from the collection referred to in paragraphs 11 or 12 above, when appropriate without notice, as set out in its resolutions 1739 (2007), 1880 (2009), 1933 (2010), 1962 (2010),1980 (2011) and 2062 (2012);

16. *Reiterating* its commitment to impose targeted measures as expressed in paragraph 10 of resolution 1980 (2011);

17. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and *authorizes* the Committee to request whatever further information it may consider necessary;

18. *Decides* to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 30 April 2014 and *requests* the Secretary-General to take the necessary measures to support its action;

19. *Requests* the Group of Experts to submit a midterm report to the Committee by 15 October 2013 and to submit a final report as well as recommendations to the Security Council through the Committee 30 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 1 above, 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005), paragraph 12 of resolution 1975 (2011) and paragraph 10 of resolution 1980 (2011);

20. *Decides* that the report of the Group of Experts, as referred to in paragraph 7 (e) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the Committee's possible additional designation of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 10 of resolution 1980 (2011) and further *recalls* the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and methods, including paragraphs 21, 22 and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms;

21. *Requests* the Secretary-General to communicate as appropriate to the Security Council, through the Committee, information gathered by UNOCI and,

where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

22. *Requests* also the French Government to communicate as appropriate to the Security Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

23. *Requests* also the Kimberley Process and other appropriate national and international agencies to work in close cooperation with the Group of Experts and its enquiries concerning the individuals and networks involved in the production, trading and illicit export of diamonds from Côte d'Ivoire, to exchange information on a regular basis, and to communicate as appropriate to the Security Council, through the Committee, on such matters, and further decides to renew the exemptions set out by paragraphs 16 and 17 of resolution 1893 (2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process;

24. *Urges* the Ivorian authorities to implement its action plan to enforce the Kimberley Process minimum requirements in Côte d'Ivoire and *further encourages* them to continue to work closely with the Kimberley Process Certification Scheme to conduct a review and assessment of Côte d'Ivoire's internal controls system for trade in rough diamonds and a comprehensive geologic study of Côte d'Ivoire's potential diamond resources and production capacity, with a view to possibly modifying or lifting, as appropriate, the measures imposed by paragraph 6 of resolution 1643 (2005) in accordance with paragraph 6 above;

25. *Encourages* the Ivorian authorities to participate in the OECD-hosted implementation programme with regard to the due diligence guidelines for responsible supply chains of minerals from conflict-affected and high-risk areas and to reach out to international organizations with a view to taking advantage of lessons learned from other initiatives and countries that have and are confronting similar issues on artisanal mining;

26. *Calls upon* the Ivorian authorities to take the necessary measures to dismantle the illegal taxation networks, including by undertaking relevant and thorough investigations, reduce the number of checkpoints and prevent incidents of racketeering throughout the country and *further calls upon* the authorities to take the necessary steps to continue to re-establish and reinforce relevant institutions and to accelerate the deployment of customs and border control officials in the North, West and East of the country;

27. *Asks* the Group of Experts to assess the effectiveness of these border measures and control in the region, *encourages* all neighbouring States to be aware of Ivorian efforts in that regard and *encourages* UNOCI, within its mandate, to continue its assistance to Ivorian authorities in the re-establishment of normal customs and border control operation;

28. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 1, 2 and 3 above, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution

1643 (2005) and paragraph 12 of resolution 1975 (2011), and further *requests* the Group of Experts to coordinate its activities as appropriate with all political actors;

29. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General for Sexual Violence in Conflict to continue sharing relevant information with the Committee in accordance with paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011);

30. *Urges* further in this context that all Ivorian parties and all States, particularly those in the region, ensure:

– The safety of the members of the Group of Experts;

– Unhindered access by the Group of Experts, in particular to persons, documents and sites in order for the Group of Experts to execute its mandate;

31. *Decides* to remain actively seized of the matter.